

[NEW SEARCH](#) | [HOME](#) | [HELP](#) | [ABOUT SUMMARIES](#)**H.R. 1252**

**Title:** To protect consumers from price-gouging of gasoline and other fuels, and for other purposes.

**Sponsor:** [Rep Stupak, Bart](#) [MI-1] (introduced 2/28/2007) [Cosponsors](#) (125)

**Related Bills:** [H.R.6346](#)

**Latest Major Action:** 5/24/2007 Referred to Senate committee. Status: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.

**SUMMARY AS OF:**

5/23/2007--Passed House amended. (There is 1 [other summary](#))

Federal Price Gouging Prevention Act - (Sec. 2) Makes it unlawful during a period proclaimed by the President as an energy emergency to sell gasoline or any other petroleum distillate at a price that: (1) is unconscionably excessive; or (2) indicates the seller is taking unfair advantage of the circumstances of an emergency to increase prices unreasonably.

Authorizes the President to issue an energy emergency proclamation and to cite the geographic area covered, the gasoline or other petroleum distillate covered, and the time period that it shall be in effect.

Limits such proclamation to a period of up to 30 consecutive days, but authorizes renewals of up to 30 days.

Authorizes a proclamation to include a period of up to one week preceding a reasonably foreseeable emergency.

Sets forth factors to be considered in determining whether a violation of this Act has occurred.

Declares unlawful any false or misleading reporting to a federal agency of price information, actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that is false or misleading.

PLEASE CLICK HERE  
TO GIVE US FEEDBACK



Exempts from this Act a sale of gasoline or other petroleum distillate transaction on a futures market.

(Sec. 3) Empowers the Federal Trade Commission (FTC) and State Attorneys General to enforce this Act.

Subjects any person who violates this Act to specified civil and criminal penalties.

States that the criminal penalty may be imposed only pursuant to a criminal action brought by the Attorney General or other officer of the Department of Justice.

(Sec. 5) Provides that a state, as parens patriae, may bring a civil action in federal district court to enforce the unconscionable pricing prohibition of this Act, or to impose the civil penalties authorized by this Act, whenever the state's attorney general has reason to believe that the interests of state residents have been or are being threatened or adversely affected by a violation of this Act, or a regulation under it, which involves a retail sale.

(Sec. 6) Requires fines and penalties collected under this Act to be deposited in a separate Consumer Relief Trust Fund fund in the Treasury to provide assistance under the Low Income Home Energy Assistance (LIHEAP) Program administered by the Secretary of Health and Human Services.

(Sec. 7) Declares that nothing in this Act preempts state law.